

Remarks

Claims 2-8 and 10-20 are pending herein. By this Amendment, claims 1 and 9 have been cancelled, claims 2-8 and 10-15 have been amended, and new claims 16-20 have been added.

Claims 3 and 4 have each been amended to include the contents of cancelled claim 1 and to place the claims in independent form. In addition, claims 3 and 4 each have been amended to include the recitation --spacers having predetermined diameters are arranged in said image display section and non-display section, respectively, such that the distance between the first and second substrates in the image non-display section is substantially equal to the distance between the first and second substrates in the image display section--. Support for this recitation can be found in the specification at, for example, Support for the added recitation can be found in the English-language specification at, e.g., page 15, lines 17-20, and page 16, lines 13-21.

Claims 2, 5-7 and 14 each have been amended to depend upon claims 3 or 4.

Claims 8 and 10-12 each have been amended to depend upon new claim 16.

Claim 13 has been amended to depend upon claim 6.

Claim 15 has been amended to depend upon claim 3.

New claim 16 depends upon claim 3 and includes a portion of the contents of cancelled claim 9.

New claim 17 depends upon claim 16 and includes a portion of the contents of cancelled claim 9.

New claim 18 depends upon claim 4 and includes a portion of the contents of cancelled claim 9.

New claim 19 depends upon claim 18 and includes a portion of the contents of cancelled claim 9.

New claim 20 is an independent claim combining the contents of claims 1, 7 and 11.

The addition of new claims 16-20, and the amending of dependencies as summarized above, has resulted in twenty-one total claims for this application. As such, the fee for one extra claim, in excess of twenty, is submitted herewith as indicated on the front page hereof.

In the Office Action, claims 1, 2, 5, 7, 8 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,640,216 to Hasagawa et al. (“Hasagawa”) in view of U.S. Patent No. 5,671,030 to Ohnuma et al. (“Ohnuma”), U.S. Patent No. 6,850,308 to Fjioka et al. (“Fjioka”), JP 2001-117103 to Shibahara et al. (“Shibahara”), JP 10-301096 to Shinsenji et al. (“Shinsenji”), JP 09-73093 to Miyazaki et al. (“Miyazaki”), JP 11-242229 to Tsuchida et al. (“Tsuchida”), JP 2002-148639 to Onaka et al. (“Onaka”), JP 05-241165 to Ishihara et al. (“Ishihara”), and JP 04-030123 to Nakamura et al. (“Nakamura”).

In addition, claims 2 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasagawa, Ohnuma, Fjioka, Shibahara, Shinsenji, Miyazaki, Tsuchida, Onaka, Ishihara, and Nakamura as applied above and further in view of U.S. Patent No. 6,667,778 to Ono et al. (“Ono”).

Furthermore, claims 10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasagawa, Ohnuma, Fjioka, Shibahara, Shinsenji, Miyazaki, Tsuchida, Onaka, Ishihara, and Nakamura as applied above and further in view of U.S. Patent No. 4,733,948 to Kitahara (“Kitahara”).

Claims 3, 4, 6, 9, 11 and 12 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the amendments and remarks herein, Applicant respectfully requests reconsideration and withdrawal of the rejections and objection set forth in the Office Action.

I. Rejection of Claims 1, 2, 5, 7, 8 and 14 Under 35 U.S.C. § 103(a)

Claims 1, 2, 5, 7, 8 and 14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasagawa in view of Ohnuma, Fjioka, Shibahara, Shinsenji, Miyazaki, Tsuchida, Onaka, Ishihara, and Nakamura.

Claim 1 has been cancelled. Claims 2, 5, 7 and 14 each have been amended to depend upon claims 3 or 4. Claim 8 has been amended to depend upon new claim 16. Claim 16 depends upon claim 3 and includes a portion of cancelled claim 9. In the Office Action, claims 3, 4 and 9 are said to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 3 and 4 have been thus amended. Claim 9 has

been cancelled and replaced by new claims 16-18. Claims 16 and 18 depend upon claims 3 and 4, respectively, and claim 17 depends upon claim 16. Thus, in view of the amendments herein, Applicant respectfully submits that claims 2, 5, 7, 8 and 14 are allowable.

II. Rejection of Claims 2 and 15 Under 35 U.S.C. § 103(a)

Claims 2 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasagawa, Ohnuma, Fijioka, Shibahara, Shinsenji, Miyazaki, Tsuchida, Onaka, Ishihara, and Nakamura as applied above and further in view of Ono.

Claim 2 has been amended to depend upon claims 3 or 4, and claim 15 has been amended to depend upon claim 3. As noted above, the Office Action states that claims 3 and 4 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 3 and 4 have been thus amended. Accordingly, Applicant respectfully submits that amended claims 2 and 15 are allowable.

III. Rejection of Claims 10 and 13 Under 35 U.S.C. § 103(a)

Claims 10 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hasagawa, Ohnuma, Fijioka, Shibahara, Shinsenji, Miyazaki, Tsuchida, Onaka, Ishihara, and Nakamura as applied above and further in view of Kitahara.

Claim 10 has been amended to depend upon new claim 16. Claim 16 depends upon claim 3 and includes a portion of cancelled claim 9. According to the Office Action, claims 3 and 9 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 3 has been thus amended. Thus, Applicant respectfully submits that amended claim 10 is in allowable form.

Claim 13 has been amended to depend upon claim 6. Claim 6 depends upon claims 3 or 4. According to the Office Action, claims 3 and 4 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 3 and 4 have been thus amended. Thus, Applicant respectfully submits that amended claim 13 is in allowable form.

IV. Allowable Subject Matter

Claims 3, 4, 6, 9, 11 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3 and 4 have been amended to place them in independent form. Claim 6 has been amended to depend upon claims 3 or 4. Claim 9 has been cancelled and replaced by new claims 16-18. Claims 11 and 12 have been amended to depend upon new claim 16. New claim 20 is a combination of claims 1, 7 and 11. In view of these amendments and claim additions, Applicant submits that claims 3, 4, 6, 11, 12 and 16-20 are in allowable form.

V. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests that the rejections and objection set forth in the Office Action be withdrawn and that claims 2-8 and 10-20 be allowed.

If any additional fees under 37 C. F. R. §§ 1.16 or 1.17 are due in connection with this filing, please charge the fees to Deposit Account No. 02-4300, Order No. 032213.022.

Respectfully submitted,



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Enclosures:

- Petition for Extension of Time
- Fee Transmittal form
- Check for sum of \$500